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FORM**

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Total Number of Pages in This Submission

Application Number

10/672,377

Filing Date

September 26, 2003

First Named Inventor

Shigeaki Fukui

Art Unit

1795

Examiner Name

Echelmeyer, Alix Elizabeth

Attorney Docket Number

848075/0055

ENCLOSURES (Check all that apply)

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|--------------------------|----------|--------|
| Firm Name | SCHULTE ROTH & ZABEL LLP | | |
| Signature | | | |
| Printed name | John C. Garces | | |
| Date | April 13, 2009 | Reg. No. | 40,616 |

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| Typed or printed name | Roxanne Garcia | Date | April 13, 2009 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|------------------|--------------------|-------------------|----------------------------|
| Applicant: | Shigeaki Fukui | Examiner: | Echelmeyer, Alix Elizabeth |
| Application No.: | 10/672,377 | Confirmation No.: | 8545 |
| Filed: | September 26, 2003 | Group Art Unit: | 1795 |
| For: | BATTERY | | |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO THE FINAL OFFICE ACTION
DATED JANUARY 12, 2009

Sir:

This paper is filed in response to the Final Office Action dated January 12, 2009, on which the shortened statutory period for response expires on April 12, 2009. Since the April 12, 2009, due date falls on a Sunday, Applicant has until April 13, 2009, in which to file this Response. Accordingly, this Response is being timely filed.

Applicant respectfully requests the Examiner to reconsider the rejection of the claims and to further examine the application in view of the following amendments and remarks.

Claims begin on page 2 of this paper.

Remarks begin on page 3 of this paper.